

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHERYL A. LOOMIS

v.

**LIFE INSURANCE COMPANY OF
NORTH AMERICA, et al.**

: CIVIL ACTION
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: NO. 09-3616

ORDER

AND NOW, this 21st day of June, 2011, upon consideration of Plaintiff's Motion for Summary Judgment (Doc. No. 25), Defendants' Motion for Summary Judgment (Doc. No. 27), and the responses and replies thereto, it is hereby **ORDERED** that:

- Plaintiff's Motion for Summary Judgment (Doc. No. 25) is **GRANTED** in part and **DENIED** in part. Within **twenty-one (21) days** of the date of this Order, Plaintiff shall file a motion setting forth the amount of past benefits due and a proposed Judgment Order, consistent with the Court's Memorandum Opinion. Defendants may file a response within **fourteen (14) days** of the date Plaintiff's motion is filed.
- Defendants' Motion for Summary Judgment (Doc. No. 27) is **GRANTED** in part and **DENIED** in part, such that Plaintiff's claims against Defendant Lockheed Martin Corporation are **DISMISSED**. Defendants' motion is **DENIED** in all other respects.
- Within **forty-five (45) days** of the date of this Order, Plaintiff shall file a petition for attorney's fees and costs, stating her argument as to why she should be entitled to these remedies under 29 U.S.C. § 1132, and applicable precedent. See Ursic v. Bethlehem Mines, 719 F.2d 670, 673 (3d Cir. 1983). Defendant shall file a response

within **twenty-one (21) days** of the date Plaintiff's petition is filed.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.